

When recorded return to:
Utah Department of Environmental Quality
Division of Environmental Response and Remediation
Attention: Voluntary Program Coordinator
168 North 1950 West
Salt Lake City, Utah 84116

Entry 2006005159
Book 977 Page 582 -586 \$0.00
01-JUN-06 11:36
RANDY SIMMONS
RECORDER, UTAH COUNTY, UTAH
STATE OF UTAH DEPARTMENT OF ENVIRON
SALT LAKE CITY UTAH 84114-4840
Rec By: CONNIE SIMPER , DEPUTY

Entry 2006005159
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RE: Cummins Intermountain Voluntary Cleanup Site (VCP #C040)
1385 East 335 South, Vernal, Uintah County, Utah

CERTIFICATE OF COMPLETION

1. Compliance with Terms of Voluntary Cleanup Program

The Executive Director of Utah Department of Environmental Quality, through her undersigned designee below, has determined that CII Nevada, Incorporated; Cummins Rocky Mountain, LLC and Cummins Incorporated LLC; CARDIOMED, Incorporated Profit Sharing Plan and Cummins, Incorporated, hereinafter collectively referred to as "Applicant", have completed a Utah Department of Environmental Quality supervised voluntary cleanup of the real property described in Attachment A (the "Property" or the "Site"), in accordance with sections 19-8-108 and 19-6-110 of the Utah Code Annotated and the Voluntary Cleanup Agreement entered into on May 24, 2005, and that CII Nevada, Incorporated; Cummins Rocky Mountain, LLC and Cummins Incorporated LLC; CARDIOMED, Incorporated Profit Sharing Plan and Cummins, Incorporated are granted this Certificate of Completion ("COC") pursuant to section 19-8-111, subject to the conditions set forth in section three below.

2. Acknowledgment of Protection From Liability

This COC acknowledges protection from liability provided by section 19-8-113 of the Utah Code Annotated to an Applicant who is not responsible for the contamination under the provisions listed in subsection 19-8-113(1)(b) at the time the Applicant applies to enter into a voluntary cleanup agreement, and to future owners who acquire property covered by this COC and to lenders who make loans secured by the property covered by the COC.

As set forth in section 19-8-113, this release of liability is not available to an owner or lender who was originally responsible for a release or contamination, or to an owner or lender who changes the land use from the use specified in the COC, if the changed use or uses may reasonably be expected to result in increased risks to human health or the environment or to an owner or lender who causes further releases on the Property. Also, there is no release from liability if the COC is obtained by fraud, misrepresentation or the failure to disclose material information.

Finally, protection from liability is limited to contamination that may reasonably be expected to be related to the Site as identified in the Site Characterization and Remedial Action Report, dated

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DEQ
Environmental Response & Remediation

November 22, 2005 revised March 29, 2006, and other documents related to the investigation and cleanup of the Property.

All documents discussed in this COC are on file and may be reviewed at the Department of Environmental Quality, Division of Environmental Response and Remediation office.

3. Specified Land Use for Certificate of Completion

Depending upon the use of the Property, different investigation and cleanup requirements are imposed before a COC is issued through the Voluntary Cleanup Program. This COC is issued based upon the Applicants' representation that the Property will be used for industrial uses. The future land use of this Site will consist of industrial uses. In addition, the future land use will be consistent with the industrial/commercial worker exposure scenario as described in the Risk Assessment Guidance for Superfund, Volume I, Human Health Evaluation, Parts A and B. The industrial/commercial worker exposure scenario is described as: exposure to adults to incidental ingestion and dermal contact to hazardous constituents for duration of 25 years at a frequency of 250 days/year for 8 hours/day.

Commercial industries that include managed care facilities, hospitals or any type of business that would require a caretaker to reside on the Site are not approved as future uses of the Site. Commercial industries that would expose children to hazardous constituents at the Site for extended periods of time (such as day care and school facilities) are also not approved as future uses of the Site. Residential uses are not approved. Uses that are not approved as stated above would be inappropriate and unacceptable for this Site. Additional investigation and possible remediation would be required and the Agreement/COC amended before the Site could be used for uses that are not approved.

Groundwater will not be accessed via wells, pits or sumps for drinking water, bathing and/or irrigation purposes.

4. Unavailability of Release of Liability

Use of the Property that is not consistent with section three shall constitute a change in land use expected to result in increased risks to human health and the environment making the release of liability described in section two unavailable.

5. Certificate of Completion Limitation

This Certificate of Completion does not provide coverage for release EGGB for which a No Further Action letter was issued by the Executive Secretary of the UST program on July 14, 1995.

6. Final Signature

Dated this 17th day of MAY 2006.

Brad T Johnson

Brad T Johnson, Director
Division of Environmental Response and Remediation
And Authorized Representative of the
Executive Director of the Utah
Department of Environmental Quality

STATE OF UTAH _____)

:SS.

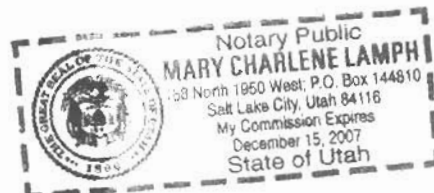
COUNTY OF Salt Lake _____)

On this 17 day of may, 2006, personally appeared before me, Brad T Johnson
who duly acknowledged that he/she signed the above Certification of Completion as an authorized
representative of the Executive Director of the Utah Department of Environmental Quality.

Mary Charlene Lamph
NOTARY PUBLIC

Residing At: Kaysville

My Commission Expires December 15, 2007



ATTACHMENT A.

Legal Property Description

Legal Description

Cummins Intermountain Inc.
1385 East 335 South
Vernal, Utah 84078

BEGINNING AT A POINT THAT IN NORTH PARALLEL TO THE EAST SECTION LINE 932.00 FEET AND SOUTH 88°05'45" WEST 412.72 FEET FROM THE SOUTHEAST CORNER OF SECTION 24, TOWNSHIP 4 SOUTH, RANGE 21 EAST, SALT LAKE BASE AND MERIDIAN; THENCE SOUTH 88°05'45" WEST 117.63 FEET; THENCE NORTH 1°41'52" WEST 346.14 FEET; THENCE NORTH 89°57'40" EAST 127.82 FEET; THENCE SOUTH PARALLEL TO THE EAST SECTION LINE 341.75 FEET TO THE POINT OF BEGINNING. PROPERTY AREA IS 0.97 ACRES.

Property Tax ID Number: 050460022 \$\$\$